

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 7

JOHN PATRICK CARROLL,

Case No. 19-10194-MEW

Debtor

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497 GREENWICH STREET LENDER LLC,

Adv. Pro. No. 19-01373-MEW

Plaintiff,

Answer

v.

JONATHON PATRICK CARROLL,

Defendant.

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Jonathon Patrick Carroll (“Defendant”), by his attorneys, the Law Offices of Fred L.

Seeman, as and for his Answer to the Complaint, respectfully allege and represent to this Court as follows:

1. The allegations contained in Paragraph “1” of the Complaint set forth a legal conclusion for which no response is required. To the extent there are factual allegations, the Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “1” of the Complaint.

2. The allegations contained in Paragraph “2” of the Complaint set forth a legal conclusion for which no response is required. To the extent there are factual allegations, the Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “2” of the Complaint.

3. The allegations contained in Paragraph “3” of the Complaint set forth a legal conclusion for which no response is required. To the extent there are factual allegations, Mr. Carroll

denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “3” of the Complaint.

4. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “4” of the Complaint.

5. The Defendant denies each and every allegation contained in Paragraph “5” of the Complaint, except admit that Mr. Carroll is an individual who maintains a residence in London, England.

6. The Defendants denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “6” of the Complaint and respectfully refers the Court to the referenced document for any factual or legal conclusion therein.

7. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “7” of the Complaint and respectfully refers the Court to the referenced document for any factual or legal conclusion therein.

8. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “8” of the Complaint and respectfully refers the Court to the referenced document for any factual or legal conclusion therein.

9. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “9” of the Complaint and respectfully refers the Court to the referenced document for any factual or legal conclusion therein.

10. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “10” of the Complaint and respectfully refers the Court to the referenced document for any factual or legal conclusion therein.

11. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “11” of the Complaint and respectfully refers the Court to the referenced document for any factual or legal conclusion therein.

12. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “12” of the Complaint.

13. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “13” of the Complaint and respectfully refers the Court to the referenced document for any factual or legal conclusion therein.

14. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “14” of the Complaint.

15. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “15” of the Complaint and respectfully refers the Court to the referenced document for any factual or legal conclusion therein.

16. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “16” of the Complaint and respectfully refers the Court to the referenced document for any factual or legal conclusion therein.

17. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “17” of the Complaint except Mr. Carroll admits that he filed for Chapter 11 bankruptcy protection.

18. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “18” of the Complaint.

19. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “19” of the Complaint and respectfully refers the Court to the referenced document for any factual or legal conclusion therein.

20. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “20” of the Complaint, except admits that certain schedules have not been filed with the Court.

21. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “21” of the Complaint and respectfully refers the Court to the referenced document for any factual or legal conclusion therein.

22. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “22” of the Complaint and respectfully refers the Court to the referenced document for any factual or legal conclusion therein.

23. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “23” of the Complaint and respectfully refers the Court to the referenced document for any factual or legal conclusion therein.

24. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “24” of the Complaint and respectfully refers the Court to the referenced document for any factual or legal conclusion therein.

25. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “25” of the Complaint and respectfully refers the Court to the referenced document for any factual or legal conclusion therein.

26. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “26” of the Complaint and respectfully refers the Court to the referenced document for any factual or legal conclusion therein.

27. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “27” of the Complaint.

28. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “28” of the Complaint and respectfully refers the Court to the referenced document for any factual or legal conclusion therein.

29. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “29” of the Complaint and respectfully refers the Court to the referenced document for any factual or legal conclusion therein.

30. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “30” of the Complaint and respectfully refers the Court to the referenced document for any factual or legal conclusion therein.

31. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “31” of the Complaint and respectfully refers the Court to the referenced document for any factual or legal conclusion therein.

32. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “32” of the Complaint and respectfully refers the Court to the referenced document for any factual or legal conclusion therein.

33. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “33” of the Complaint excepts admits that he was unable to appear at the September 1, 2019 and October 1, 2019 meeting of creditors.

34. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “34” of the Complaint and respectfully refers the Court to the referenced document for any factual or legal conclusion therein.

35. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “35”, excepts admits that he has not appeared at any creditors meetings or filed certain schedules.

36. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “36” of the Complaint except admits he has a residence in London, United Kingdom.

37. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “37” of the Complaint.

38. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “38” of the Complaint and respectfully refers the Court to the referenced document for any factual or legal conclusion therein.

39. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “39” of the Complaint.

40. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “40” of the Complaint.

41. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “41” of the Complaint.

42. The Defendant denies each and every allegation contained in Paragraph “42” of the Complaint.

43. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “43” of the Complaint.

44. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “44” of the Complaint.

45. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “45” of the Complaint.

46. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “46” of the Complaint.

47. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “47” of the Complaint.

48. The Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “48” of the Complaint.

49. In response to Paragraph “49” of the Complaint, Mr. Carroll repeats his answers and responses to the allegations set forth in Paragraphs “1” through “48” as if more fully set forth herein.

50. The allegations contained in Paragraph “50” of the Complaint set forth a legal conclusion for which no response is required. To the extent there are factual allegations, the Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “50” of the Complaint.

51. The Defendant denies each and every allegation contained in Paragraph “51” of the Complaint.

52. The Defendant denies each and every allegation contained in Paragraph “52” of the Complaint.

53. The Defendant denies each and every allegation contained in Paragraph "53" of the Complaint.

54. The Defendant denies each and every allegation contained in Paragraph "54" of the Complaint.

55. The allegations contained in Paragraph "55" of the Complaint set forth a legal conclusion for which no response is required. To the extent there are factual allegations, the Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph "55" of the Complaint.

56. In response to Paragraph "56" of the Complaint, Mr. Carroll repeats his answers and responses to the allegations set forth in Paragraphs "1" through "55" as if more fully set forth herein.

57. The allegations contained in Paragraph "57" of the Complaint set forth a legal conclusion for which no response is required. To the extent there are factual allegations, the Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph "57" of the Complaint.

58. The Defendant denies each and every allegation contained in Paragraph "58" of the Complaint.

59. The Defendant denies each and every allegation contained in Paragraph "59" of the Complaint.

60. The Defendant denies each and every allegation contained in Paragraph "60" of the Complaint.

61. In response to Paragraph “61” of the Complaint, the Defendant repeats his answers and responses to the allegations set forth in Paragraphs “1” through “60” as if more fully set forth herein.

62. The Defendant denies the allegations contained in Paragraph “62” of the Complaint set forth a legal conclusion for which no response is required. To the extent there are factual allegations, the Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “62” of the Complaint.

63. The Defendant denies each and every allegation contained in Paragraph “63” of the Complaint.

64. The Defendant denies each and every allegation contained in Paragraph “64” of the Complaint.

65. The Defendant denies each and every allegation contained in Paragraph “65” of the Complaint.

66. In response to Paragraph “66” of the Complaint, the Defendant repeats his answers and responses to the allegations set forth in Paragraphs “1” through “65” as if more fully set forth herein.

67. The allegations contained in Paragraph “67” of the Complaint set forth a legal conclusion for which no response is required. To the extent there are factual allegations, the Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph “67” of the Complaint.

68. The Defendant denies each and every allegation contained in Paragraph “68” of the Complaint.

69. The Defendant denies each and every allegation contained in Paragraph "69" of the Complaint.

70. In response to Paragraph "70" of the Complaint, the Defendant repeats his answers and responses to the allegations set forth in Paragraphs "1" through "69" as if more fully set forth herein.

71. The allegations contained in Paragraph "71" of the Complaint set forth a legal conclusion for which no response is required. To the extent there are factual allegations, the Defendant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph "71" of the Complaint.

72. The allegations contained in Paragraph "72" of the Complaint set forth a legal conclusion for which no response is required. To the extent there are factual allegations, the Defendant denies knowledge and information sufficient to form a belief as to each and every allegation contained in Paragraph "72" of the Complaint.

73. The Defendant denies each and every allegation contained in Paragraph "73" of the Complaint.

74. The Defendant denies each and every allegation contained in Paragraph "74" of the Complaint.

GENERAL DENIAL

75. To the extent that any allegations in the Complaint have not been admitted, denied or addressed in this Answer, Mr. Carroll denies those allegations.

FIRST AFFIRMATIVE DEFENSE

76. The Complaint fails to state a claim against the Defendant upon which relief can be granted.

WHEREFORE, it is respectfully requested that this Honorable Court grant judgment dismissing the Complaint in its entirety, and such other and further relief this Court deems just and proper, together with costs, disbursements and reasonable attorney's fees.

Dated: New York, New York
May 29, 2020

Law Offices of Fred L. Seeman
Attorneys for Jonathon Patrick Carroll

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